REMARKS

Applicants respectfully request reconsideration and allowance of the above-identified patent application. In this paper, claims 31-35 and 51-54 are pending, wherein claims 31 and 51-53 have been currently amended, and claim 54 is new.

Initially Applicants note with appreciation the Examiner's withdrawal of the previous grounds of rejection. Further, Applicants note with appreciation the Examiner's consideration of the documents submitted in the supplemental Information Disclosure Statements (IDS) filled on September 2, 2005.

The Office Action rejects claims 51-53 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, as the Examiner correctly notes, the preambles of these claims recite the limitation of "the method of claim 31"; however, claim 31 is a software program claim. Accordingly, Applicants have amended these claims in order to address the Examiner's concerns. As such, Applicants respectfully request withdrawal of this ground of rejection.

The Office Action rejects all pending claims under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,343,313 to Salesky et al. ("*Salesky*"). Applicants respectfully traverse this ground of rejection. [1]

Applicants' invention generally relates to computing system with a server that provides remote client access to a software program that creates a layout of elements from a display design based on limitations of the system, wherein the display will be transmitted to one or more clients as compressed video stream. As recited in claim 31, e.g., the claimed software program comprises one or more computer readable media having stored thereon: a restriction module that when running at a server receives one or more restrictions defining one or more limitations imposed by a compression method to be used in generating a display representing a user interface corresponding to a program running at the server and that is displayed at a remote client as a compressed video stream; and a design module that when running at the server lays out one or more display elements for said user interface responsive to said received one or more

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[1] Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to do so in the future. Accordingly, any amendment or arguments made herein should not be construed as acquiescing to any prior art status or asserted teachings of the cited art.

limitations in order to meet said one or more limitations when creating a compressed video stream of said display to be sent to said remote client.

Applicants have amended claim 31 to include, *inter alia*, that the design module modifies the layout of the display elements relative to a layout without the one or more limitations in order to make compression for the one or more display elements more efficient, and that the modifications include at least one or more of moving an element, replacing an element, changing a property on an element, or removing an element.[2] As noted in the dependent claims, examples of such modifications include—but are not limited to—manipulating colors so that color components can be compressed to a greater degree, moving an element based on one or more portions of the element straddling a boundary of a block, using fonts with fewer high-frequency components, reducing flashing rates of colors and cursors, synchronizing flashing rates of colors and cursors, reducing animation rates of animated objects, low-pass filtering to reduce display resolution, reducing scrolling resolution, and/or changing an element to a similar element that is easier to compress.

Applicants respectfully submit that *Salesky* does not anticipate or otherwise render claim 31 unpatentable for at least the reason that *Salesky* does not disclose and/or enable each and every feature of claim 31.[3] For example, *Salesky* does not disclose or enable a design module that lays out one or more display elements for a user interface of a program running at a server responsive to received limitations imposed by a compression method, wherein the design module modifies the layout of display elements relative to a layout without the one or more limitations in order to make compression for the one or more display elements more efficient, and that the modifications include at least one or more of moving an element, replacing an element, changing a property on an element, or removing an element, as recited, *inter alia*, in independent claim 31.

Salesky discloses a computer conferencing system with real-time multipoint, multi-speed, multi-stream scalability. Although *Salesky* indicates that multiple codecs can be dynamically

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[2] Applicants note that the amendments made to claim 31 are simply to clarify what was already inherently or explicitly claimed; and therefore, such amendments should not be construed as necessitating any new grounds of rejection. Nevertheless, support for the claim amendments can be found throughout the Specification, including ¶¶ [0166].

[3] "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131. Applicants also note that "[i]n determining that quantum of prior art disclosure which is necessary to declare an applicant's invention 'not novel' or 'anticipated' within section 102, the stated test is whether a reference contains an 'enabling disclosure.'" MPEP § 2121.01. In other words, a cited reference must be enabled with respect to each claim limitation.

selected for a function based on current conditions such as client requirements, server needs, and network loading (*see e.g.*, col. 3, ll. 35-41), such selection of codecs is not the same as Applicants claim for modifying the layout of a user interface display responsive to limitations imposed by a compression method in order to make compression for the display element(s) more efficient. Nevertheless, the Office Action cites various sections of *Salesky* as allegedly disclosing "a server that is able to determine the capabilities of a client device, which includes limitations imposed by compression and decompression methods[, and that] the server provides design modification applicable to the layout of the display elements on the client's device, [which] include size-scaling, pointer positioning, etc."

Assuming that such statement of what *Salesky* discloses is true, this is not the same as Applicants' claimed invention. In particular, the Office Action, as well as *Salesky* itself, does not make any correlation between modifying the layout of elements for a user interface and any such determined compression limitations. In fact, the sections of *Salesky* relied on by the Office Action for the modification of elements (i.e., the size-scaling, pointer positioning, etc.) are not based on compression method limitations, but rather on actions from a presenter (e.g., movement of a pointer) or display limitations of a client (e.g., resizing display image based on a mismatch in size of attendee client display and an image sent from presenter). *See e.g.,* col. 8, ll. 17-29, and col. 16, ll. 9-15.

In addition, other cited sections of *Salesky* disclose compressing only delta blocks or portions of the screen that have changed—since such delta blocks compress to a smaller size. *See e.g.,* col. 12, ll. 28-44. Similar to the deficiencies noted above, however, the simple selection of blocks of a screen for compression is not the same as modifying display elements to meet compression limitations. In fact, Applicants respectfully submit that *Salesky* is silent with respect to modifying the layout of display elements responsive to compression method limitations. Accordingly, *Salesky* cannot possibly disclose or enable a design module that lays out one or more display elements for a user interface of a program running at a server responsive to received limitations imposed by a compression method, wherein the design module modifies the layout of display elements relative to a layout without the one or more limitations in order to make compression for the one or more display elements more efficient, and that the modifications include at least one or more of moving an element, replacing an element, changing a property on an element, or removing an element, as recited, *inter alia*, in claim 31.
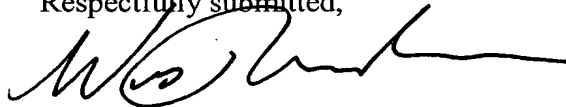
Because *Salesky* does not disclose or enable each and every element of claim 31, Applicants respectfully submit that *Salesky* does not anticipate this claim. Accordingly, Applicants respectfully request withdrawal of this ground of rejection.

Based on at least the foregoing reasons, therefore, Applicants respectfully submit that the cited art fails to anticipate or make obvious Applicants' invention, as claimed, for example, in independent claim 31. Applicants note for the record that the other rejections and assertions of record with respect to the independent and dependent claims are now moot, and therefore need not be addressed individually. Accordingly, Applicants do not acquiesce to any assertions in the Office Action that are not specifically addressed above, and hereby reserve the right to challenge those assertions in the future, including any official notice taken by the Examiner, if necessary or desired.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and notice to this effect is earnestly solicited. Should any question arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at +1.801.533.9800.

Dated this 12th day of January, 2006.

Respectfully submitted,

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